

Whole last week that this report is brought before you now and in our consideration of it, it was just never suggested that we put a limitation on the terms.

THE CHAIRMAN: Delegate Morgan, may the Chair get at the question that Delegate Gill wants in this matter? I assume this Committee did discuss the question of limitation of terms on the governor inasmuch as it recommended a limitation.

DELEGATE MORGAN: It did.

THE CHAIRMAN: Were the reasons which impelled the Committee to recommend a limitation on the successive terms to which the governor might be elected applicable to other statewide elected officials or were they limited to the office of governor?

DELEGATE MORGAN: Mr. Chairman, I just do not think that the Committee ever considered that.

THE CHAIRMAN: What I am getting at is whether or not the reasons for putting in the limitation for governor pertained peculiarly to the office of governor or did not.

DELEGATE MORGAN: I think they really pertain peculiarly to the office of governor and do not particularly pertain to the office of comptroller or attorney general.

THE CHAIRMAN: Delegate Gill.

DELEGATE GILL: We are reconsidering EB-1. Is it too late to add Amendment No. 8 which would limit the comptroller's job to two successive terms?

THE CHAIRMAN: It would be considered when Committee Recommendation EB-1 is before the Convention on second reading.

It would be open to amendment.

DELEGATE GILL: Thank you.

THE CHAIRMAN: Are there any further questions?

Delegate Clagett.

DELEGATE CLAGETT: Delegate Morgan, with reference to the first section and the qualifications of the attorney general is the five-year requirement equally applicable to that person being a citizen of the State as well as a member of the bar of the State?

DELEGATE MORGAN: It is just as a member of the bar.

THE CHAIRMAN: Are there any further questions?

Delegate Clagett?

DELEGATE CLAGETT: Now, with reference to the second sentence, I do not wish to repeat the points raised with respect to built-in conflict of interest, but I would like this clarification.

In lines 6 and 7, the General Assembly may give duties and responsibilities by law. I would assume that that could include the appointment of all lawyers who will make up the staff of this chief legal officer.

If that is true and that law provided that he should appoint all lawyers, where would the freedom exist with respect to the appointment by the governor and the General Assembly of legal counsel as you point out in your memorandum on line 51?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: I do not quite see the logic of your question, because I think you started off with a premise that the attorney general shall appoint all lawyers. I do not think that is necessarily true. He certainly appoints all the lawyers in the attorney general's office, all deputies, but I do not think it means he has to appoint all lawyers.

THE CHAIRMAN: Delegate Clagett, I think your question might be clearer if you pinpoint the language in the recommendation to which you refer.

DELEGATE CLAGETT: Yes, Mr. Chairman.

Let us start with the premise that the General Assembly in its authority given in line 7 prescribed by law that all legal officers shall be appointed by the attorney general and it could do that, could it not?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: I suppose it could, but I cannot imagine the General Assembly doing it. For example, there is a people's counsel in the Public Service Commission which the General Assembly has provided for and I cannot imagine the General Assembly turning that around and saying all those people should be appointed like the attorney general.

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: What would be the status of an attorney general appointed by the governor, and what would be his relationship to the chief legal officer,